

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CANDY SUE ALEJO,

4 Plaintiff

5 v.

6 SMITH'S FOOD & DRUG CENTERS, INC.,

7 Defendant

Case No.: 2:23-cv-01588-APG-DJA

Order Granting Motion to Dismiss

[ECF No. 21]

8 Defendant Smith's Food & Drug Centers, Inc. moves to dismiss plaintiff Candy Alejo's
9 complaint without prejudice because Alejo expressed to Smith's counsel that she does not intend
10 to pursue this case anymore. ECF No. 21. Alejo did not respond to the motion. I therefore grant
11 the motion as unopposed under Local Rule 7-2(d), without prejudice to Alejo instituting a new
12 lawsuit to pursue her claims against Smith's at a later date.

13 I THEREFORE ORDER that defendant Smith's Food & Drug Centers, Inc.'s motion to
14 dismiss **(ECF No. 21) is GRANTED**. Plaintiff Candy Alejo's complaint (ECF No. 1-1) is
15 DISMISSED without prejudice to the Alejo initiating a new lawsuit against Smith's. The clerk
16 of court is instructed to close this case.

17 DATED this 4th day of April, 2024.

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19 ANDREW P. GORDON
20 UNITED STATES DISTRICT JUDGE
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